

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

UNITED STATES OF AMERICA

v.

Action No. 2:18mj166

WALLACE GODWIN,

Defendant.

**ORDER**

The defendant, Wallace Godwin, having filed a motion for determination of mental competency to stand trial (ECF No. 16) pursuant to Title 18, United States Code, Sections 4241(a) and (b), and the Court having been advised that the United States has no objection thereto;

The Court hereby FINDS there is reasonable cause to believe the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense, therefore it is hereby:

ORDERED that the defendant's attorney shall arrange, at the defendant's expense, for the defendant to be evaluated by Dr. Alana Hollings, within 30 days of the entry of this Order, to determine whether the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent such that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

It is FURTHER ORDERED that, pursuant to Title 18, United States Code, Sections 4247(b) and (c), the defendant shall submit to such examination and that the examiner's report shall be filed, under seal, with the United States District Court for the Eastern District of Virginia, Norfolk Division, 600 Granby Street, Norfolk, Virginia 23510, and sealed copies shall be provided to Alan M. Salsbury, Managing Assistant United States Attorney, Office of the United States Attorney, 101 West Main Street, Suite 8000, Norfolk, Virginia 23510, and to the defendant's attorney, Kirsten R. Kmet, Assistant Federal Public Defender, Office of the Federal Public Defender, 150 Boush Street, Suite 403, Norfolk, Virginia 23510.

Pursuant to Title 18, United States Code, Section 4247(c), said report shall include: (1) the defendant's history and present symptoms; (2) a description of the psychiatric, psychological, and medical tests that were employed and their results; (3) the examiner's findings; and (4) the examiner's opinions as to diagnosis and prognosis, including whether the defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

It is FURTHER ORDERED, pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(1)(A) and (D), that the time by which an indictment must be filed and by which any trial of such offense must commence is tolled from the date of this Order until the results of the examination are received by the Court and any proceedings attendant thereto are resolved,

such period being a excludable delay contemplated by Title 18, United States Code, Section 3161(h)(1)(A).



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Robert J. Krask  
United States Magistrate Judge

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United States Magistrate Judge

Norfolk, Virginia  
May 14, 2018